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MINISTRY OF LAW

New Delhi, the 19th December, 1957

The following Acts of Parliament received the assent of the President on the 18th December, 1957, and are hereby published for general information:—

THE CANTONMENTS (EXTENSION OF RENT CONTROL LAWS) ACT, 1957

No. 46 OF 1957

[18th December, 1957]

An Act to provide for the extension to cantonments of laws relating to the control of rent and regulation of house accommodation.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. This Act may be called the Cantonments (Extension of Rent Control Laws) Act, 1957.

2 of 1924. 2. In this Act, "cantonment" means any place declared to be a cantonment under section 3 of the Cantonments Act, 1924.

3. The Central Government may, by notification in the Official Gazette, extend to any cantonment with such restrictions and modifications as it thinks fit, any enactment relating to the control of rent and regulation of house accommodation which is in force on the date of the notification in the State in which the cantonment is situated:

Power to extend to cantonments laws relating to control of rents and regulation of house accommodation.

Provided that nothing contained in any enactment so extended shall apply to—

(a) any premises within the cantonment belonging to the Government;

(b) any tenancy or other like relationship created by a grant from the Government in respect of premises within the cantonment taken on lease or requisitioned by the Government; or

(c) any house within the cantonment which is, or may be, appropriated by the Central Government on lease under the Cantonments (House Accommodation) Act, 1923.

6 of 1923.

Extension of the Madhya Bharat Accommodation Control Act, 1955 to the cantonment of Mhow.

4. The Madhya Bharat Accommodation Control Act, 1955, as in force in that part of the State of Madhya Pradesh which immediately before the 1st day of November, 1956, formed the State of Madhya Bharat is hereby extended to, and brought into force in, the cantonment of Mhow with the following modifications, namely:—

M. B. Act 23 of 1955.

In the said Act,—

(a) for the words “commencement of this Act” wherever they occur, the words “extension of this Act to the cantonment” shall be substituted;

(b) in section 1, for sub-sections (2), (3) and (4), the following sub-sections shall be substituted, namely:—

“(2) It extends to the Cantonment of Mhow.

(3) It shall remain in force upto the 31st day of December, 1957; but the Central Government may, by notification in the Official Gazette, direct from time to time that it shall remain in force for such further period as may be specified in the notification so, however, that the total period for which it may remain in force shall not exceed two years from the 31st day of December, 1957.”;

(c) in section 2, in clause (b) of sub-section (1), for the words “a Municipality”, the words “the Cantonment Board” shall be substituted;

(d) in section 3, in clause (e), for the word “Municipal”, the words “Cantonment Board” shall be substituted;

(e) in section 4,—

(i) in clause (g), for the words “city or town concerned”, the word “cantonment” shall be substituted;

(ii) in clause (h), for the words “city or town for that purpose and if he was in occupation, has for sufficient reasons vacated it after the Act has been extended to that city or town”, the words “cantonment for

that purpose or if he was in occupation, has for sufficient reasons vacated it after the extension of this Act there-to" shall be substituted;

(f) in section 6,—

(i) in sub-section (1), the words and brackets "situated in the city of Lashkar (including Gwalior and Morar), Indore, Ujjain or Ratlam" shall be omitted;

(ii) sub-section (2) shall be omitted;

(g) in section 14, the words "the provisions of this Act cease to be applicable to any town, or" shall be omitted;

(h) in section 15, after the word "instituted", the words "or if instituted, continued", shall be inserted;

(i) in section 18, sub-section (4) shall be omitted;

(j) in section 21, the words "or deemed to have been passed" shall be omitted;

(k) in section 22, the words "or deemed to have been made" shall be omitted;

(l) section 23, section 27 and the Schedule shall be omitted;

(m) in sections 24 and 25, the words "or deemed to have been made" shall be omitted.

THE INDIAN TELEGRAPH (AMENDMENT) ACT, 1957

No. 47 OF 1957

[18th December, 1957]

An Act further to amend the Indian Telegraph Act, 1885.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Indian Telegraph (Amendment) Act, 1957.

Short title
and commen-
cement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment
of section 7.

2. In section 7 of the Indian Telegraph Act, 1885 (hereinafter referred to as the principal Act),—

(a) in sub-section (2), after clause (d), the following clauses shall be inserted, namely:—

“(e) the conditions and restrictions subject to which any telegraph line, appliance or apparatus for telegraphic communication shall be established, maintained, worked, repaired, transferred, shifted, withdrawn or disconnected;

(f) the charges in respect of—

(i) the establishment, maintenance, working, repair, transfer or shifting of any telegraph line, appliance or apparatus;

(ii) the services of operators operating such line, appliance or apparatus;

(g) the matters in connection with the transition from a system whereunder rights and obligations relating to the establishment, maintenance, working, repair, transfer or shifting of any telegraph line, appliance or apparatus for telegraphic communication attach by virtue of any agreement to a system whereunder such rights and obligations attach by virtue of rules made under this section;

(h) the time at which, the manner in which, the conditions under which and the persons by whom the rates, charges and fees mentioned in this sub-section shall be paid and the furnishing of security for the payment of such rates, charges and fees;

(i) the payment of compensation to the Central Government for any loss incurred in connection with the provision of any telegraph line, appliance or apparatus for the benefit of any person—

(a) where the line, appliance or apparatus is, after it has been connected for use, given up by that person before the expiration of the period fixed by these rules, or

(b) where the work done for the purpose of providing the line, appliance or apparatus is, before it is connected for use, rendered abortive by some act or omission on the part of that person;

(j) the principles according to which and the authority by whom the compensation referred to in clause (i) shall be assessed;

(k) any other matter for which provision is necessary for the proper and efficient conduct of all or any telegraphs under this Act.”; and

(b) after sub-section (3), the following sub-sections shall be inserted, namely:—

“(4) Nothing in this section or in any rules made hereunder shall be construed as—

(a) precluding the Central Government from entering into an agreement with a person for the establishment, maintenance and working by that Government on terms and conditions specified in the agreement, of any telegraph line, appliance or apparatus for the purpose of affording means of telegraphic communication, where having regard to the number of the lines, appliance or apparatus required by that person for telegraphic communication, it is necessary or expedient to enter into such agreement with him, or

(b) subjecting the Central Government to any obligation to provide any telegraph line, appliance or apparatus for the purpose of affording means of telegraphic communication.

(5) All rules made under this section shall be laid for not less than thirty days before each House of Parliament as soon as possible after they are made and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following.”.

3. After section 7 of the principal Act, the following sections shall be inserted, namely:—

Insertion of
new sections
7A and 7B.

“7A. Nothing in section 7 shall authorise the making of any rules determining any agreement entered into by the Central Government with any person before the commencement of the Indian Telegraph (Amendment) Act, 1957, relating to the establishment, maintenance or working of any telegraph line, appliance or apparatus for telegraphic communication; and all rights and obligations thereunder relating to such establishment, maintenance or working shall be determined in accordance with the terms and conditions of such agreement.

Saving of
existing
agreements.

7B. (1) Except as otherwise expressly provided in this Act, if any dispute concerning any telegraph line, appliance or apparatus arises between the telegraph authority and the person for

Arbitration
of disputes.

whose benefit the line, appliance or apparatus is, or has been, provided, the dispute shall be determined by arbitration and shall, for the purposes of such determination, be referred to an arbitrator appointed by the Central Government either specially for the determination of that dispute or generally for the determination of disputes under this section.

(2) The award of the arbitrator appointed under sub-section (1) shall be conclusive between the parties to the dispute and shall not be questioned in any court.”.

G . R. RAJAGOPAUL,
Addl. Secy. to the Government of India.